



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPECTRUM DYNAMICS MEDICAL
LIMITED,

Plaintiff,

-against-

GENERAL ELECTRIC COMPANY et al.,

Defendants.

ORDER SCHEDULING CONFERENCE

18-CV-11386 (VSB)(KHP)

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

A conference is scheduled on **Tuesday, October 3, 2023, at 3:00 p.m.** in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York. The parties should be prepared to answer questions from the Court regarding the pending motions to dismiss and to substitute parties, as well as certain procedural questions raised by the pending motions. The questions will include:

- Do the current defendants retain any financial interest in the proposed substitute defendants or the patents at issue in this case?
- Are the proposed substitute defendants successors in interest to the non-disclosure agreement between Spectrum and GE? If not, is GE a necessary party for purposes of Spectrum's breach of contract claim?
- Why is substitution, as opposed to mandatory joinder, the proper procedure to bring in the proposed new defendants?
- Are there any potential conflicts between the existing defendants and proposed new defendants that might require new defendants to obtain separate counsel?

- Does the correction of inventorship claim impact whether the existing defendants should remain in the suit or implicate the validity of the transfer of patent rights?
- Insofar as Spectrum's claims regarding the '731 patent and for declaratory judgment/invalidity of the '439 patent were brought after the existing defendants purportedly transferred all rights in the patents, should those claims be dismissed for lack of standing?

SO ORDERED.

Dated: September 13, 2023
New York, New York

Katharine H. Parker
KATHARINE H. PARKER
United States Magistrate Judge